UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,591	11/07/2001	Ran J. Flam	sparta01.005	4352

25247   7590   04/23/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2162	

MAIL DATE	DELIVERY MODE
04/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

	Interview Summary	**Application No.**	**Applicant(s)**
		10/036,591	FLAM, RAN J.
		Examiner	**Art Unit**	
		Robert Stevens	2162	

All participants (applicant, applicant's representative, PTO personnel):

(1) _Robert Stevens, USPTO_.

(3)_Gordon Nelson, Reg No. 30,093_.

(2) _Shahid Alam, USPTO_.

(4)_____.

Date of Interview: _06 March 2007_.

Type: a)☒ Telephonic   b)☐ Video Conference
      c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: _1_.

Identification of prior art discussed: _Marlin, Akifuji_.

Agreement with respect to the claims f)☐ was reached.   g)☒ was not reached.   h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _Discussed proposed amendments in light of previous rejections under 35 USC 101 and 103(a). Contrasted cited art and claim limitations. Discussed claim language clarifications. Applicant to submit claim amendments, clarifying language, and arguments in an official response to the previous Office Action_.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.
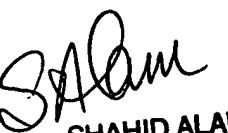
SHAHID ALAM
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
     (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(sparta01.005)

5   **Applicant:**   Flam   **Confirmation No.:** 4352

Application No: 10/036,591   **Group Art Unit:** 2176

Filed: 11/7/01   **Examiner:** Robert M. Stevens
10   Fax: 571-273-8300

Title: *Graphical User Interface for Automated Process Control*

▪▪▪

15   Commissioner for Patents
Alexandria, VA 22313-1450

Argument for the Interview scheduled for March 6 at 10:00 AM--not for entry

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Amendment of claim 1 to overcome the rejection under 35 U.S.C. 101

Claim 1 has been amended as follows to overcome the rejection under 35 U.S.C. 101. A

clean copy of the claim is attached to this *Argument.*

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1. (currently amended) A graphical user interface ~~for specifying an action which modifies~~ ~~a value of a record field that is common to records belong to a set thereof~~ stored in a system having at least one memory device,~~memory device,~~ at least one device for implementing the graphical user interface, and at least one processor having access to the

5   memory device and the graphical user interface device, the graphical user interface specifying a predefined action which modifies a value of a record field that is common to records belonging to a set thereof, the records being stored in the memory device and the processor ~~belonging to a system which has access to the memory device, executes queries~~ ~~which return records belonging to the set,~~ causing the graphical user interface device to

10   generate~~and generates and responds to~~ the graphical user interface, responding to inputs therefrom, and automatically executing a predefined query with which the predefined action is associated and which returns records belonging to the set,
the graphical user interface comprising:

a window in the graphical user interface, the window displaying a table wherein

15   the record field whose value is to be modified by the action has an entry that is selectable by a user of the graphical user interface, the entry including

a first field of the entry that identifies the record field to be modified by the action; and

one or more action fields of the entry that, when the user has selected the

20   entry, the user may set to specify the predefined action,
~~the system responding to the identified record field and the specified action~~ ~~when~~whereupon, whenever the ~~system~~processor automatically executes ~~a~~the predefined query ~~that is associated with the action~~ and the query returns a record that belongs to the set, the processor modifies ~~by modifying~~ the value in the record field in the returned

25   record that is identified by the entry's first field as specified in the one or more action fields of the entry.

As amended, the claim sets forth the physical articles or objects necessary to constitute a machine or manufacture, relates these objects to the graphical user interface, and

30   indicates the effects on the objects of the action specified by the graphical user interface. The system has "at least one memory device", "at least one device for implementing the

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graphical user interface", and "at least one processor having access to the memory device and the graphical user interface device" and the claim further sets forth in the preamble that the records with which the graphical user interface is concerned are "stored in the memory device", and that the processor causes "the graphical user interface device to

5   generate the graphical user interface", that the processor "respond[s] to inputs from the graphical user interface", and "automatically executes a predefined query". The body of the claim further sets forth how the processor performs the action specified in the graphical user interface on a record returned by the predefined query. As the claim is presently amended, there can be no doubt that it is directed to an apparatus and

10   consequently passes muster under 35 U.S.C. 101.

The rejection of claim 1 as presently amended under 35 U.S.C. 103

The rejection is based on the combination of U.S. patent 5,778,377, Marlin, et al., *Table-driven graphical user interface*, issued 7/7/98, henceforth "Marlin" with U.S. patent

15   6,853,974, *Workflow system, workflow control method, and storage medium*, having a priority date of 8/24/98, henceforth "Akifuji". Applicant's claims are addressed to a "graphical user interface". In the following, Applicant will show that neither of the references discloses anything about a graphical user interface as that term is used in Applicant's specification and claims, and that the combination of references consequently

20   cannot render Applicant's claims obvious.

"Graphical user interface" in Applicant's specification

As may be seen from the screen shots of FIGs. 9-17 and their descriptions beginning at page 42 of Applicant's Specification, a graphical user interface in Applicant's

25   specification is a display in a display device such as a terminal which can be manipulated by input devices such as a pointing device and/or a keyboard to control a computer-implemented system.

"Graphical user interface" in claim 1

30   It is apparent from the description of the graphical user interface in claim 1 as currently amended that the claimed graphical user interface is a graphical user interface of the type

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shown in the Specification. What is specifically being claimed is a graphical user interface that includes "a window" that " display[s] a table wherein the record field whose value is to be modified by the action has an entry that is selectable by a user of the graphical user interface" and in which the entry includes "a first field of the entry that

5 identifies the record field to be modified by the action; and one or more action fields of the entry that, when the user has selected the entry, the user may set to specify the predefined action". The manipulations which the user may perform on the GUI are selecting an entry and specifying action fields, and when that is done, "whenever the processor automatically executes the predefined query and the query returns a record that

10 belongs to the set, the processor modifies the value in the record field in the returned record that is identified by the entry's first field as specified in the one or more action fields of the entry".

Disclosure of graphical user interfaces in the references

15 An idea of the difficulties involved in applying Marlin and Akifuji to Applicant's claim 1 can be seen in the fact that neither reference contains any figures made from screen shots., i.e., any disclosure of actual graphical user interfaces.

Marlin

20 The main discussion of the GUI in Marlin is at column 14, lines 15-49. As is apparent from that discussion, what Marlin's GUI is a display system which is "particular to the DMI [standard] and is useful only in that environment, but it will display objects from the database [made from the MIF files prescribed by the DMI standard] regardless of what their content is". The GUI uses the arrangements provided by the Windows operating

25 system. Marlin terms what is displayed in the GUI a "report". Reports have a table format (col. 14, lines 28-41). What appears in a report is determined by a "report definition" which defines what data from the database is to be displayed in the rows and columns of the report. A table driven interface defines the reports (col. 15, lines 8-9). There is no further disclosure of that interface. The flowcharts of FIGs. 9-14 disclose

30 how reports are displayed and generated. They do not, however, disclose anything about how they look and behave beyond the fact that reports have a table format and that they

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can be used to read and set values in the database (col. 16, 44-50). How a table looks and behaves depends of course on its report definition, and there is no disclosure of a report that behaves in the manner of Applicant's claimed GUI or of a report definition that would produce such a GUI. Examiner himself admits as much when he refers to Akifuji

5   for the disclosure of the structure of the entries in the table in Applicant's GUI.

Akifuji

The only mention of graphical user interfaces or GUIs in Akifuji is the following from col. 1, lines 24-29:

10   Generally, a workflow control system creates a business flow (workflow) specifying a business procedure by using a graphical user interface including icons and arrows, a workflow engine, i.e., a program, interprets the business flow and instruct the user to process the electronic documents.

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Akifuji's workflow system includes a number of tables (see 80, 10, 20, and 30 in FIG. 15) and details of certain of these tables are presented in FIGs. 2, 3, 4, and 5. Resource selection rules 15010 and business process flow definition 15000 may or may not be implemented as tables; as described, they appear to be collections of code. See for

20   example col. 10, lines 27-36. There is simply no disclosure whatever in Akifuji of a graphical user interface for doing anything with the tables, let alone of anything like the table entries in Applicant's GUI.

The foregoing analysis is confirmed by a look at the locations in Akifuji which Examiner

25   cites in his rejection of claim 1. The first location, col. 4, lines 52-57 describes action/division table 20, which is simply a table in the workflow system, not part of a GUI, as required by Applicant's claim. The second location, col. 6, lines 59-65, merely states that because Akifuji's workflow system works in response to changes in application database 80, it can be implemented without modification of the application program that

30   uses database 80.

Examiner's failure to make a prima facie case of obviousness

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In order to reject a claim under 35 U.S.C. 103, Examiner must make a *prima facie* case of obviousness. One requirement of the *prima facie* case is that the references which are combined to make the rejection must show all of the limitations of the claim under rejection. As set forth above, Marlin discloses at most a GUI that uses a table in a display

5   to manipulate data in a database; Akifuji contains substantially no disclosure about GUIs and consequently can add nothing to Marlin. Because that is so, the combined references do not show all of the limitations of Applicant's claim 1 and cannot provide the basis for a rejection of that claim under 35 U.S.C. 103.

Respectfully submitted,

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Clean copy of amended claim 1

1   1. (currently amended) A graphical user interface in a system having at least one memory

2   device, at least one device for implementing the graphical user interface, and at least one

3   processor having access to the memory device and the graphical user interface device, the

4   graphical user interface specifying a predefined action which modifies a value of a record

5   field that is common to records belonging to a set thereof, the records being stored in the

6   memory device and the processor causing the graphical user interface device to generate

7   the graphical user interface, responding to inputs therefrom, and automatically executing

8   a predefined query with which the predefined action is associated and which returns

9   records belonging to the set,

10   the graphical user interface comprising:

11   a window in the graphical user interface, the window displaying a table wherein

12   the record field whose value is to be modified by the action has an entry that is selectable

13   by a user of the graphical user interface, the entry including

14   a first field of the entry that identifies the record field to be modified by

15   the action; and

16   one or more action fields of the entry that, when the user has selected the

17   entry, the user may set to specify the predefined action,

18   whereupon, whenever the processor automatically executes the predefined query and the

19   query returns a record that belongs to the set, the processor modifies the value in the

20   record field in the returned record that is identified by the entry's first field as specified in

21   the one or more action fields of the entry.

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